IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 15.12.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.TAMILVANAN

Writ Petition No.18376 of 2006
& M.P.Nos.1 & 2 of 2006

M/s Pearl Hoardings
rep. by its Proprietor C.Srinivasan,
131/2, St. Mary's Road,
Chennai-600 018. .. Petitioner

Vs.

1.The District Collector,
Chennai-600 001.

2.Chennai Corporation,
rep., by its Commissioner,
Rippon Buildings, Chennai-600 003.

3.The Tahsildar,
Egmore-Nungambakkam Taluk,
Chetput, Chennai-600 031.

4.The Inspector of Police,
F-5 Police Station,
Chetput, Chennai-600 031.

5.M/s Keyaram Hotels Private Ltd.,
1 & 2, Harrington Road,
Chetput, Chennai-600 031. .. Respondents

WEB COPY

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents 1 and 2 to immediately demolish the compound wall put up by the fifth respondent on the Government property in front of door No.1 and 2, Harrington Road, Chetput, Chennai-600 031 and restore it to original boundary which existed before the encroachment.

https://hcservices.ecourts.gov.in/hcservices/

For Petitioner : Mr.K.V.Sajeev Kumar
For Respondents 1, 3 & 4 : Mr.K.Elango,
Special Government Pleader

For 2nd respondent : Mr.G.T.Subramanian

For 5th respondent : Mr.G.Masilamani S.C., for
Mr.P.Rathinadurai

ORDER

(Order of the Court was delivered by P. SATHASIVAM, J.)

The petitioner has approached this Court to issue a writ of Mandamus directing respondents 1 and 2 viz.,The District Collector, Chennai-600 001, Chennai Corporation, rep., by its Commissioner, Rippon Buildings, Chennai-600 003, to demolish the compound wall put up by the fifth respondent on the Government property in front of door No.1 and 2, Harrington Road, Chetput, Chennai-600 031, and restore it to original boundary which existed before the encroachment.

2. Heard the learned counsel for the petitioner and the respondents.

3. Pursuant to the direction of this Court, the third respondent- Tahsildar, Egmore-Nungambakkam Taluk, Chetput, Chennai-600 031, has filed a counter affidavit. On going through the information furnished by the Tahsildar with reference to Survey Nos.355/1, 355/2, 355/3 and 1640/8, we are of the view that no direction need be issued as claimed by the petitioner in this writ petition. If the petitioner has any grievance regarding removal of their hoardings, it is open to them to approach the appropriate authority to vindicate their grievance.

4. In so far as the relief sought for in the writ petition viz., demolition of compound wall said to have been put up by the fifth respondent, in view of the details furnished by the Tahsildar in his counter affidavit dated 12.12.2006, here again, no direction need be issued. Even if there is any encroachment, it is for the appropriate owner, viz., Government/Corporation, to take action after verification of the records.

5. In view of the same, we are satisfied that no direction need be issued in this writ petition. Consequently, the writ petition

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

fails and the same is dismissed. No costs. M.P.Nos.1 and 2 of 2006 are also dismissed.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The District Collector,
Chennai-600 001.

2.The Commissioner,
Chennai Corporation,
Rippon Buildings, Chennai-600 003.

3.The Tahsildar,
Egmore-Nungambakkam Taluk,
Chetput, Chennai-600 031.

4.The Inspector of Police,
F-5 Police Station,
Chetput, Chennai-600 031.

1 cc to Mr.B.S.Gnanadesikan, Advocate, SR.62981
1 cc to the Government Pleader, SR.62761

rs (co)

dv/20.12.06

W.P.No.18376 of 2006

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/